

PART 5325 - Foreign Acquisition

Table of Contents

[SUBPART 5325.1 — BUY AMERICAN - SUPPLIES](#)

[5325.103 Exceptions](#)

[SUBPART 5325.2 — BUY AMERICAN - CONSTRUCTION MATERIALS](#)

[5325.202 Exceptions](#)

[5325.204 Evaluation Offers of Foreign Construction Material](#)

[SUBPART 5325.4 — TRADE AGREEMENTS](#)

[5325.403 World Trade Organization Government Procurement Agreement and Free Trade Agreements](#)

[SUBPART 5325.6 — AMERICAN RECOVERY AND REINVESTMENT ACT - BUY AMERICAN STATUTE - CONSTRUCTION MATERIALS](#)

[5325.603 Exceptions](#)

[SUBPART 5325.10 — ADDITIONAL FOREIGN ACQUISITION REGULATIONS](#)

[5325.1001 Waiver of Right to Examination of Records](#)

[SUBPART 5325.70 — AUTHORIZATION ACTS, APPROPRIATIONS ACTS, AND OTHER STATUTORY RESTRICTIONS ON FOREIGN ACQUISITION](#)

[5325.7002-2 Exceptions](#)

[5325.7003-3 Exceptions](#)

[5325.7008 Waiver of Restrictions of 10 U.S.C. 2534](#)

[SUBPART 5325.73 — ACQUISITIONS FOR FOREIGN MILITARY SALES](#)

[5325.7301-2 Solicitation Approval for Sole Source Contracts](#)

[INTERIM CHANGE: See CPM 19-C-12.](#)

[SUBPART 5325.75 — BALANCE OF PAYMENTS PROGRAM](#)

[5325.7501 Policy](#)

[\(c\) INTERIM CHANGE: See CPM 19-C-11.](#)

[INTERIM CHANGE](#): See [CPM 19-C-11](#).

SUBPART 5325.1 — BUY AMERICAN - SUPPLIES

5325.103 Exceptions

(a)(ii)(B)(3) [INTERIM CHANGE](#): See [CPM 19-C-11](#).

(b) Follow [MP5325](#) when a determination of non-availability is required by FAR 25.103 and DFARS 225.103. See [MP5301.601\(a\)\(i\)](#).

SUBPART 5325.2 — BUY AMERICAN - CONSTRUCTION MATERIALS

5325.202 Exceptions

(a)(1) [INTERIM CHANGE](#): See [CPM 19-C-11](#).

(a)(2) *Nonavailability*. See [MP5301.601\(a\)\(i\)](#).

5325.204 Evaluation Offers of Foreign Construction Material

(b) [INTERIM CHANGE](#): See [CPM 19-C-11](#).

SUBPART 5325.4 — TRADE AGREEMENTS

5325.403 World Trade Organization Government Procurement Agreement and Free Trade Agreements

(c)(ii)(A) See [MP5301.601\(a\)\(i\)](#).

SUBPART 5325.6 — AMERICAN RECOVERY AND REINVESTMENT ACT - BUY AMERICAN STATUTE - CONSTRUCTION MATERIALS

5325.603 Exceptions

(a)(1)(i) *Nonavailability*. See [MP5301.601\(a\)\(i\)](#).

(a)(1)(iii) [INTERIM CHANGE](#): See [CPM 19-C-11](#).

(a)(2) [INTERIM CHANGE](#): See [CPM 19-C-11](#).

(b)(2) [INTERIM CHANGE](#): See [CPM 19-C-11](#).

SUBPART 5325.10 — ADDITIONAL FOREIGN ACQUISITION REGULATIONS

5325.1001 Waiver of Right to Examination of Records

(a)(2)(iii) Conditions for use of FAR 52.215-2, Alternate III. Submit requests for agency head determinations following the format at FAR 25.1001(b), through the SCO to [SAF/AQC](#). **INTERIM CHANGE:** See [CPM 19-C-11](#).

SUBPART 5325.70 — AUTHORIZATION ACTS, APPROPRIATIONS ACTS, AND OTHER STATUTORY RESTRICTIONS ON FOREIGN ACQUISITION

5325.7002-2 Exceptions

(b)(1)(iv) When the contracting officer determines through market research, that an article or suitable substitute is not available from a domestic source, the contracting officer must submit a [Domestic Non-availability Determination \(DNAD\)](#). The DNAD must be submitted through the SCO to [SAF/AQC](#) for approval by the Secretary of the Air Force (nondelegable). See MP5325.7002-2.

5325.7003-3 Exceptions

(b) When the contracting officer determines, through market research, that a specialty metal melted or produced in the United States or its possessions cannot be procured in satisfactory quality and sufficient quantity, and in the required form, as and when needed, submit a [DNAD](#). The DNAD must be submitted through the SCO to [SAF/AQC](#) for approval by the Secretary of the Air Force (nondelegable).

(c) When a contractor or offeror submits a “Commercial Derivative Military Article-Specialty Metals Compliance Certificate” (DFARS 252.225-7010) for streamlined compliance for Commercial Derivative Military Articles (CDMA), the Secretary of the Air Force must determine that the item is a CDMA as defined at DFARS 252.225-7009 before using the rules for streamlined compliance for CDMA. The contracting officer must follow the procedures in DFARS 225.7003-3 and submit the [CDMA D&F](#) through the SCO to [SAF/AQC](#) for approval by the Secretary of the Air Force (nondelegable). See [MP5325.7003-3](#).

5325.7008 Waiver of Restrictions of 10 U.S.C. 2534

(a)(2) See [MP5301.601\(a\)\(i\)](#).

(b)(2)(i) See [MP5301.601\(a\)\(i\)](#).

See [AFMC PGI 5325.7901-3-90](#).

SUBPART 5325.73 — ACQUISITIONS FOR FOREIGN

MILITARY SALES

5325.7301-2 Solicitation Approval for Sole Source Contracts

INTERIM CHANGE: See [CPM 19-C-12](#).

SUBPART 5325.75 — BALANCE OF PAYMENTS PROGRAM

5325.7501 Policy

(c) INTERIM CHANGE: See [CPM 19-C-11](#).